

FILED

June 9 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 10-0109

FILED

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Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

RENEE GRIFFITH,

Plaintiff and Appellant,

v.

ORDER

BUTTE SCHOOL DISTRICT NO. 1, CHARLES
UGGETTI AND JOHN METZ,

Defendants and Appellees.

The ACLU of Montana Foundation (ACLU-MT) has moved for leave to file an amicus brief herein. Its motion states that this case involves a “complex and unsettled area of First Amendment law” and, although not appearing in support of either party, ACLU-MT hopes to “serve as a resource to the Court.” It states it could file its brief by June 9.

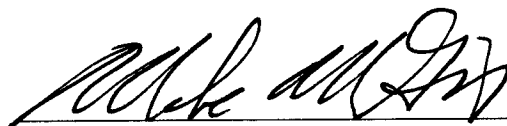
Appellees could not be contacted, but Appellant Renee Griffith objects to the motion. She argues that ACLU-MT has insufficient nexus to the issue raised and the timing of the filing of its brief would not allow adequate opportunity for the parties to respond, particularly if there is no oral argument on the case.

Since the filing of the motion, Appellant has requested an extension of time for filing of her brief and, thus, neither party has yet filed their briefing. Allowing the ACLU-MT to file its informational amicus brief now would permit both parties to respond to it, if they desire, and not delay the briefing schedule. Therefore,

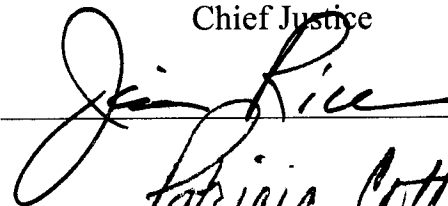
IT IS HEREBY ORDERED that the motion for leave to file an informational amicus brief is GRANTED. ACLU-MT may file its brief on or before June 11, 2010, and the parties may thereafter respond to the amicus brief within their respective briefing, if desired.

The Clerk is directed to provide copies of this Order to all counsel of record.

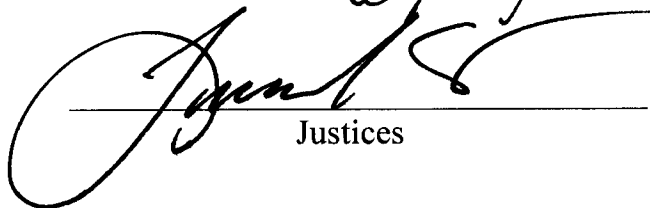
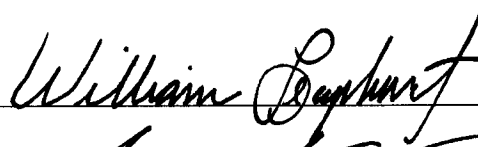
DATED this 8th day of June, 2010.



Chief Justice



Patricia Cotter



Justices